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# TECHNICAL MEMORANDUM


## Utah Coal Regulatory Program

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October 3, 2011

TO: Internal File 

THRU: Daron Haddock, Coal Regulatory Program Manager

FROM: Ingrid Campbell, Lead 

RE: Change to allow extraction of Longwall panel #22, West Ridge Resources, West Ridge Mine, Permit # C/007/0041 and Project #3894

### SUMMARY:

On August 23, 2011, the Division received an application from West Ridge Resources to add 273.43 acres to the existing permit area in order to allow longwall mining of panel 22. The development entries associated with the bleeder system will extend under the right fork of Grassy Trail Reservoir but longwall mining will not occur directly under the stream channel. Panel 22 will be mined at a depth of 2800' to 3600' and no surface disturbance is anticipated as a result of the addition of the 273.43 acres, which is a 3.6% increase in the total permit area.

This application is not recommended for approval at this time. Prior to approval, the permittee must submit the following in accordance with:

R645-301-322: Please update the Map 3-4A Wildlife Map- Raptor Survey to include recent raptor survey results through the 2011 survey season. Also, please note that this map is considered confidential, and should be submitted as such.

R645-301-320: Please conduct random ground-truthing of the vegetation communities east of the left fork of Whitmore Canyon as suggested by Mt. Nebo Scientific on Map 3-1 General Vegetation Communities.

Additionally, the Division will revise and issue a new permit reflecting the current permit description.

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**TECHNICAL ANALYSIS:**

**GENERAL CONTENTS**

**RIGHT OF ENTRY**

Regulatory Reference: 30 CFR 778.15; R645-301-114

**Analysis:**

West Ridge Resources (WRR) applied to change their permit area description to include 2,403.7 acres in federal coal lease UTU 78562 and 650.49 acres in the Penta Creek coal lease. The disturbed area acreage has not changed. The Federal Coal lease UTU-78562 modification is located in appendix 1-4B(a).

**Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements of this section.

**LEGAL DESCRIPTION AND STATUS OF UNSUITABILITY CLAIMS**

Regulatory Reference: 30 CFR 778.16; 30 CFR 779.12(a); 30 CFR 779.24(a)(b)(c); R645-300-121.120; R645-301-112.800; R645-300-141; R645-301-115.

**Analysis:**

WRR amended the legal description of the permit area by changing the description of T13S R14E section 31 and T14S R14E Section 5 within federal lease UTU-78562 and the description of T14S R14E Section 6 within the Penta Creek lease extension. The total permit area was amended to 7600.38 acres. The entire permit area is shown on Map 1-0, 1-1 the Permit and Location Map.

**Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

## **PERMIT TERM**

Regulatory References: 30 CFR 778.17; R645-301-116.

### **Analysis:**

The permit was last issued on June 28, 2011 and expires April 1, 2014. This permit area modification will require that the Division issue an updated permit reflecting the new permit area. The permit will expire April 1, 2014 and be issued once the Division grants approval to this application.

### **Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section. The Division will issue WRR a new permit after final approval.

## **ENVIRONMENTAL RESOURCE INFORMATION**

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

## **HISTORIC AND ARCHEOLOGICAL RESOURCE INFORMATION**

Regulatory Reference: 30 CFR 783.12; R645-301-411.

### **Analysis:**

Senco-Phenix Archeological consultants conducted cultural resources report (SPUT-612) on April 25, 2011. This report is located in the confidential folder of the amendment. Senco-Phenix conducted a file search online at the Utah Division of State History website and at the Price River Field Office Bureau of Land Management. No significant archeology sites were discovered.

### **Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements.

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## FISH AND WILDLIFE RESOURCE INFORMATION

Regulatory Reference: 30 CFR 784.21; R645-301-322.

### Analysis:

No surface disturbance is anticipated due to the panel 22 lease permit area expansion. Longwall mining will occur in this area, but due to the depth of mining and the use of panel barriers, no surface impacts are anticipated. Map 3-4 A shows the location of raptor nests in the permit area. This map needs to be updated to depict the new raptor nests identified by EIS in spring 2011. The EIS raptor survey is located in the confidential folder of the application. Map 3-4B shows Deer range within the permit area. The lease expansion proposed contains crucial summer deer range. Map 3-4C shows Elk Range. The proposed lease expansion contains crucial summer elk range. Map 3-4D shows antelope range within the permit area. The permit expansion does not contain antelope range. No impacts to deer or elk are anticipated with this lease expansion.

### Findings:

The information provided is not considered adequate to meet the minimum regulatory requirements for this section. Prior to approval, the permittee must submit the following in accordance with:

R645-301-322: Please update the Map 3-4A Wildlife Map- Raptor Survey to include recent raptor survey results through the 2011 survey season. Also, please note that this map is considered confidential, and should be submitted as such.

## VEGETATION RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.19; R645-301-320.

### Analysis:

WRR submitted an updated Map 3-1 General Vegetation Communities with the application. An area extending from the left fork of Whitmore Canyon through the proposed permit area expansion was analyzed for vegetation communities from aerial photos by Mt Nebo Scientific. A note is included on the map that this area should be randomly ground-truthed for accuracy. Appendix 3-12 includes a description of the riparian areas of Whitmore Canyon. No surface impacts are anticipated from mining.

**Findings:**

The information provided is not considered adequate to meet the minimum regulatory requirements for this section. Prior to approval, the permittee must submit the following in accordance with:

R645-301-320: Please conduct random ground-truthing of the vegetation communities east of the left fork of Whitmore Canyon as suggested by Mt. Nebo Scientific on Map 3-1 General Vegetation Communities.

**LAND-USE RESOURCE INFORMATION**

Regulatory Reference: 30 CFR 783.22; R645-301-411.

**Analysis:**

WRR submitted an updated Map 4-1 Existing Land Use. The proposed permit expansion area contains the Sheep canyon allotment and private land which is non-allocated.

**Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

**RECOMMENDATIONS:**

This application is not recommended for approval at this time.